

Application No. 10/675,663
Amendment dated 5/9/05
Reply to Office Action of 2/10/05

Remarks

This Amendment is in response to the Office Action dated February 10, 2005 and is due on or before May 10, 2005.

With regard to the prior art, Claims 1-9 were rejected as anticipated under 35 USC 102(b), by Armstrong U.S. patent 1,923,411. Claims 1, 3, and 5 were rejected as anticipated under 102(b) by Falk U.S. patent 2,200,714. It is noted with appreciation the indication Claims 2 - 4 and 6 - 8 contain allowable subject matter.

One of the elements of the original claim 1 is "the lock button is capable of inadvertently being moved to its locked position by at least operation of the door handle." To this end the Armstrong patent (and the Falk patent) is said to anticipate the present invention. Even though applicant is amending Claim 1, he believes the basis of this rejection is incorrect as Armstrong (and Falk) lacks a teaching "inadvertency." The office action relates that the lock mechanisms of Armstrong can be inadvertently activated when the handle is released while simultaneously pushing in lock button 14. The inadvertent release of the handle by itself will clearly not cause the Armstrong locking mechanism to operate as defined in Claim 1. Secondly, the placing of one's finger on a narrow button such as 14 and pushing this button inwardly does not seem to be an inadvertent act.

Applicant has however modified the original Claim 1 to eliminate reference to the phrase "at least;" this clearly distinguishes the present invention from the Armstrong patent.

Claims 1, 3 and 5 were rejected as being anticipated by Falk. Falk shows a lever 41 positioned close to an interior door handle 17. The rejection based on Falk parallels the rejection based upon Armstrong, and in essence relates that the door can be opened by the inadvertent manipulation of the handle and the lever. Applicant disagrees, however the current amendment to Claim 1 should traverse Falk, as well as Armstrong, in that inadvertent movement of the lock button to its locked position is in response to the operation of the door handle and not another instrumentality.


Claims 2, 4 and 6 are now presented as independent claims with most of the limitations of original Claim 1. Additionally, the dependency of some of the claims has

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been changed. In regard to allowable Claim 8, applicant has amended Claim 8 to depend from Claim 6 rather than presenting Claim 8 as an independent claim (which may be done in a later amendment). Further, some additional dependent claims have been added, which depend from the allowable claims 2, 4 and 6.

In view of the aforementioned, it is respectfully urged that the present application be reconsidered, the claims allowed, and the case passed to issue.

Respectfully submitted,


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